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Sl No. 159

1949.

File No. 420/48

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P.W. **DEPARTMENT**

E **BRANCH** (1)

Subject:— National Health Insurance and Contributory Persons Act.

Persons recruited in India Benefits.

C-[K]-1951

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File No. 420/48

Std. Sectt. Slip 24-A

Std. Sectt. 78A o.

3 R., G D., No 2408, dated 22-6-22.]

Correspondence

DOCKET SHEET (B)

Subject :—

File No. 420/48

P.W. DEPT.

E BRANCH. (1)

References :—

Date.	To whom sent.	Notes and instructions.

Copy of letter No. G. 243.5., dated the 12th March 1948.

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I am directed to state that the attention of this office has been drawn to Ministry of National Insurance circular A.S. 366 , relating, inter alsi, to voluntary insurance under the National Health and Pensions Insurance Acts pending introduction of the National Insurance Scheme.

2. The High Commissioner undertakes recruitment on behalf of the Government of India and Provincial Govenments in that country of personnel for sevice in India on contracts for periods up to five years, which may be renewed at the discretion of the authorities. As the circular cited above makes no reference to persons temporarily resident abroad the High Commissioner will be glad if he might be advised as to the insurance position of persons now being appointed or who have recently been appointed, i.e.whether such persons can maintain in their insurance either by paying contributions as prescribed in para 9 of the circular or by any other scheme of contributio and whether such persons must now contribute for both health and pensions insurance or may elect to be insured only for one or other of the benefits.

3. It is presumed that voluntary insurance contributions who are alre ady in Government service in India may continue in insurance pending the introduction of the National Insurance

Scheme, and that the rates of contribution payable by them will remain unaltered. Such personnel have in in many cases been in India for upwards of five years and are contributing to pensions insurance only.

4. This office will be glad to be furnished with 50 copies of any regulations or other information regarding the position under the National Insurance Scheme of persons who are, or may become, resident abroad.

Copy of Ref: VPR 35222/48/XBR/O.V.C., dated the 19th April 1948 from the Ministry of National Insurance Newcastle-on-Tyne. to the High Commissioner for India, General Department, India House Aldwych, London, W.C. 2.

With rererence to your enquiry of 12th March, 1948, regarding health and pensions insurance overseas, I am directed by the Minister of National Insurance to inform you that the existing insurance schemes will be superseded when the National Insurance Act comes fully into operation on the 5th July next. Under that Act the position of persons ovesseas falls to be dealt with in regulations which

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have not yet been made.

Full details of the provision of the regulations are regards the payment of contributions in respect of persons overseas will be sent to you as soon as they are avialable, probably in June next.

I am to add that subject to any convention which may later be entered into, whereby allied countries mutual advantages are given to persons living in one country who are or have been insured in another, it is not at present proposed that retirement pensions should be paid in respect of any periods (other than certain short absences) spent outside His Majesty's dominions.

The delay in replying to your enquiry is regretted.

An accompaniment to this Government (political and Services department) Resolution, No. 1645/34, dated 1st February 1940.

Copy of letter, No. G. 243.5, dated the 11th November 1948, from the High Commissioner for India, General Department to the Secretary to the Government of India, Ministry of Finance. New Delhi.

Subject:- The United Kingdom National Insurance Act, 1946.

I am directed by the High Commissioner for India to refer the correspondence resting with this office letter G. 243.5, dated the 14th June, 1948 regarding Voluntary Insurance Contributions under National Health Insurance Act, etc. and to enclose for information two copies of Ministry of National Insurance Leaflets No. N.I.38 and N.I 38-A

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which contain provisional draft regulations, made under the National Insurance Act, 1946 governing the position of persons normally residents of in the United Kingdom who are of may be temporarily residing in India and of persons entering Great Britain after the 4th July 1948.

2. It will be seen that persons within the categories defined in paragraphs 10 and 11 of leaflet N. I. 38A who wish to contribute for insurance under the provisions of the regulations must notify the Ministry of National Insurance, New castle-on-tyne not later than the 4th January 1949 (vide paragraph 15 of the leaflet. Two hundred copies of leaflet No. I. 38A are therefore being sent to your air freight and I am to ask that copies thereof may kindly be circulated as soon as possible to Government servants within the categories in question , serving either under the Central Government or Provincial Governments, in order that they may not lose the right to contribute if they so desire.

3. I am to add that certain aspects of the application of the Regulations to Government servants in India re at present under investigation and it is hoped that it will shortly be possible to furnish the Government of India with full information in the matter.

Copy of letter No. G.243.5.5, dated the 14th June 1948 from the High Commissioner for India, General Department, to the Secretariat to the Government of India, Ministry of Finance, New Delhi.

Subject:- Voluntary Insurance Contributions under the National Health Insurance Acts and

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the Widow's Orphans' and Old Age contributory pensions Act.

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I am directed by the High Commissioner for India to refer to the correspondence resting with this office letter No. G. 243.5.5, dated the 13th May 1947on the above named subject, and to enclose for information a copy of the marginally noted correspondence.

Further information in the matter will be furnished upon its receipts from the Ministry of National Insurance.

To the Secretary, Min. of National Insurance, Newcastle on-Tyne, No. G. 243.5.5 of the 12th March 1948.

From the Secretary, Ministry of National Insurance No.VPR 35222/48/XBH/CVC, dated the 19th April 1948.

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NATIONAL INSURANCE ACT, 1946.

PERSONS ABROAD

ON

5th July, 1948.

IMPORTANT

The information given in this leaflet is based on Draft Regulations which have been submitted to and published by the National Insurance Advisory Committee, but still require to be laid before Parliament. Until that action has been completed the information must be regarded as provisional and subject to alteration.

Persons Abroad On 5th July, 1948.

This leaflet is intended for people who, though outside Great Britain, Northern Ireland and the Isle of Man when the National Insurance Scheme starts on 5th July 1948, have lived in Great Britain or the Isle of Man.

It is not for people in the Armed Forces of the United Kingdom or employed in British merchant ships or aircraft. They, and people abroad only for a few weeks, should first read para. 6.

There are special rules for married women, explained in para. 14.

Para.1-4 give a very brief description of the National Insurance Scheme, Fuller information is contained in the "Family Guide to the National Insurance Scheme" which can be obtained from the Ministry of National Insurance at the address given below.

Para. 5/14 deal with the special position of people abroad at 5th July 1948.

Para. 18 is for employers who have employees abroad.

There is a separate leaflet (N.I.38) for people going abroad on or after 5th July 1948.

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The Industrial Injuries Insurance Scheme comes into operation on 5th July,1948 (the same date as the National Insurance Scheme), but it applies only to illnesses and accidents occuring in Great Britain, and its benefits are not dependent on payment of contributions.

People abroad who want further information or advice should write to:-

Ministry of National Insurance,
Contributions,
New Castle-on-tyne,
ENGLAND.

The National Insurance Scheme.

1. The new National Insurance Scheme which comes into operation on 5th July 1948, covers, with few exceptions, everyone (other than certain married women) between the ages of 15 and 65(60 for women) then in Great Britain.

As there are parallel schemes in Northern Ireland and the Isle of Man which are linked with the Great Britain scheme by reciprocal arrangement, this leaflet is not applicable to any person who is in Northern Ireland or the Isle of Man on 5th July 1948. Such a person will be covered by the provisions of the Northern Ireland scheme, or of the Manx scheme. But the Manx scheme is so nearly identical with that of Great Britain, that this leaflet may be taken to apply to people who have gone abroad from the Isle of Man. There are three classes of insured persons, who pay different rates of contributions according to their class and who become eligible for benefits appropriate to that class (see paras.2 &3).

The three classes are:-

Class 1 (Employed Persons). Those who work for an employer under a contract of service or are paid apprentices. Most people who work for wages or salary are in this class.

Class 2 (Self-Employed Persons). Those in business on their own account , and others who are working for gain but do not work under the control of an employer;

Class 3 (Non-Employed Persons). All insured persons who are in Class 1 or Class 2.

Dependent on these contributions are rights to the cash benefited described in para. 3. Rights earned by contributions to the old National

Health, Contributory pensions and Unemployment Insurance Schemes are not lost. Such contributions help towards qualification for benefit under the new scheme, and any Widow's, Orphan's or Old Age Pension already being paid under the Contributory Pensions scheme at 4th July k948, will continue to be paid from 5th July 1948, at the same rate, ugless the beneficiary qualifies for benefit at a higher rate under the new National Insurance Scheme.

Rates of Contribution.

2. The main rates of weekly contribution are:-

	Class 1 employed persons			class 2 self employed persons.	class 3. Non employed persons.
	Paid employed:	Paid by Employed.	Total:		
	S.D.	S.D.	S.D.	S.D.	S.D.
Men aged 18 and over.	4 7	3 10	8 5	6 2	4 8
Men under 18	2 8	2 3	4 11	3 7	2 9
Women aged 18 and over.	3 7	3 0	6 7	5 1	3 8
Women under 18	2 2	1 9	3 11	3 1	2 3

Class 1 contributions give title to all benefits (see para. 3)

Class 2. Contributions give title to all benefits except Unemployment Benefit.

Class 3. Contributions give title to all benefits except Unemployment and Sickness benefits and Maternity Allowance (see para. 4.).

Employed persons in Great Britain a nd their employers also contribute to Industrial Injuries Insurance, but such contributions are not payable when the employee is abroad.

Rates of Benefit.

3. The right to benefit is dependent on contributions paid, and an other conditions. The normal rates of the main benefits are shown in the table below, but they are subject to variations and conditions which are explained in other leaflets in this series. (see Appendix for list of leaflets.).

Type of Benefit	Normal rate	Increase for first child	Increase for wife or other adult dependent.	Mainly dependent on.
Unemployment Benefit.	26/- a week.	7/6 a week	16/- a week.	recent Cl. 1 or 2 contributions.
Sickness Benefit.	26/- a week.	7/6 a week.	16 a week.	recent Cl.1 or 2 contributions.
Widow's Benifit.	see para. 4	7/6 a week.	-	husband's long term Cl.1,2, or 3 contribution record
Maternity Benefit.	see para. 4	-	-	the Father's or mother's recent Cl.1,2 or 3 contributions.
Guardian's Allowance for orphans.	12/-a week	-	-	either parent having been insured.
Retirement pension.	26/-aweek.	7/6a week.	16/- a week.	long term Cl.1 2 or 3 contribution record.
Death grant.	Up to 20	-	-	Cl. 1,2 or 3 contribution record of deceased or deceased's wife, husband or parent.

Generally no two benefits can be drawn at the same time in respect of the same person (e.g., a man cannot get an increase in respect of his wife if she is drawing benefit on her own insurance).

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Widow's Benefit, after the first 13 weeks (other a 10s. pension under the old Contributory pension Scheme) and Retirement Benefit while the beneficiary is under 70 (65 for a woman) are reduced by 1s. a week for every shilling of earnings above 30s.(widows) or 20s.(retirement).

Some Facts about Benefit.

4. Widow's Benefit is of three kinds. For 13 weeks from her husband's death, a widow may receive Widow's Allowance of 36s. a week which may be increased by 7s. 6d. a week, if she has a child under school leaving age. After the 13 weeks she may receive 33s. 6d. a week (Widowed Mother's Allowance) as long as she has a child under school leaving age. Finally she may get a pension (normally 26s. a week) for life, if-

(a) When her Widow's Allowance ends, she is over 50 and had at her husband's death been married 10 years, or

(b) When her Widowed Mother's Allowance ends, she is over 40 and 10 years have elapsed since the date of her marriage, or

(c) When her title to Widow's Benefit would otherwise cease, she is incapable of supporting herself, and continues to be so incapable.

Widow's Benefit is not payable after remarriage.

Maternity Benefit is also of three kinds. A Maternity Grant of 4 is payable in respect of the birth of a child. In addition to the Maternity Grant a woman normally working outside her home duties otherwise than for or in partnership with her husband, may get Maternity Allowance of 36s. a week for 13 weeks. Women not entitled to Maternity Allowance may receive Attendance Allowance of 20s. a week for four weeks in addition to maternity Grant.

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The special position of married women is recognised under the scheme. For the most part their needs are covered by their husband's insurance. Married women(and widows receiving benefit other than a pension under the old Contributory Pension scheme) are therefore excused, if they wish, from paying contributions, and in some cases they are compulsorily excluded from insurance.If they are insured, the benefits available to them on their own insurance are in some cases less than the normal rates.

Retirement Pension is payable at the age of 65 (60 for women) subject to retirement from regular employment. It may be increased by postponing retirement, but at the age of 70 (65 for women) retirement is assumed in any case. There are special conditions for people who are over the age of 55 (50 for women) when the scheme starts on 5th July 1948. If they last entered insurance (under the old Contributory Pensions Scheme) before 30th September,1946, they cannot qualify for pension until five years after the date of entry . If they last entered on or after 30th September, 1946, they cannot qualify until 10 years after entry. An insured person reaching 65 (60 for women) before he has completed the 10 (or five) years of insurance necessary to qualify for a retirement pension can choose either to go on contributing for the remainder of the qualifying period or to stop contributing and apply for a refund with interest of that part of each contribution paid for weeks after 5th July 1948,which relates to retirement pension. There are two leaflets (N.I.15 and N.I.28) about Retirement Pensions (see Appendix).

Benefit is not paid in respect of Unemployment , Sickness and Death occurring outside Great Britain, Northern Ireland and the Isle of Man, except that Sickness Benefit may be paid during the first six months of residence

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in the Channel Islands. Widow's Benefit and Retirement Pension are payable in the British Commonwealth and Empire; but Widowed Mother's Allowance, Guardian's Allowance and increase of Widow's Allowance or Retirement Pension in respect of a chile are not payable while the child concerned is absent from Great Britain, Northern Ireland and the Isle of Man, except in some cases where the absence is only temporary Maternity Grant and Attendance Allowance (but not Maternity Allowance) are payable for a confinement occurring anywhere, if the mother is ordinarily resident in Great Britain; but they can be paid only in Great Britain, either to the mother on her return or to some other person, whom she nominates.

One of the conditions for entitlement to the full rate of Widwo's Benefit and Retirement Pension is that the average number of contributions paid or credited in each year must be not less than 50. This average is calculated over a period extending to the year when the claim to benefit arises from one of the following times:-

(a) From 1936-for those who last entered insurance in 1938 or before,
(b) From the year of last entry into insurance-for those who entered after 1936 but before 5th July 1948,
(c) From 1948-for those who, being over 16 on 5th July,1948, enter insurance on or after that date.
(d) From the year when they reach the age of 16-for those who being under 16 on 5th July 1948, enter insurance after that date.

Where the average falls belwo 50, the rate of benefit is reduced.

Provision is made in the National Insurance Act permit ting arrangements to be made with the Government of any British Dominion or Colony or foreign country to link by reciprocal arrangements the insurance scheme of the country with the National Insurance scheme of Great Britain. Should such arrangements be made, the position of persons insured under the National Insurance Scheme of Great Britain, who are in one of the countries concerned, would no longer be as described in this leaflet. In particular it is likely that under such reciprocal arrangements contributions paid to the National Insurance fund of Great Britain would count towards benefit under the insurance scheme of the other country, and vice

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Versa. At the time of preparation of this leaflet such reciprocal arrangement had been made only with Northern Ireland and the Isle of Man.

Persons Abroad.

5. Except in the case of some people who have gone overseas to work for an employer who has a place of business in Great Britain (para. 8 and9), no-one is required topay contributions while abroad. But in some cases people abroad may if they wish contribute(para 8 to 12), and it may be of advantage to do so in order to build up or preserve right to benefit. Some of those who are not allowed to contribute at once will be given a chance to establish their position on return to Great Britain (para. 13).

In considering your own position:-

(a) If you are a married woman, read para. 14.

(b) if your are over 55 (or 50 for a woman), you should take into account the rules about Retirement Pension in para.4;

(c) if you are likely to spend all or most of your life abroad, you should bear in mind which of the benefits are payable outside Great Britain, and where they are payable (para. 4).

#In certain circumstances (which will not arise in the case of persons abroad), an insured person may be excused from paying a contribution for a particular week, and be "credited" with a contribution; i. e. he is treated for the purpose of future entitlement to benefit, as if he had paid the contribution which was executed.

Apart from these special points your position depends mainly on:-

(d) your previous residence in Great Britain;
(e) how long you have been abroad;
(f) whether you have been insured under the old schemes- National Health, Contributory Pension and Unemployment Insurance;

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Insurance;

(g) Whether you are employed by an employer with a place of business in Great Britain, and whether you entered his employment immediately following employment by an employer in Great Britain.

Your nationality does not matter.

Some People Abroad Need Do Nothing.

6. If you are in the Armed Forces of the United Kingdom including the Women's Services), or serving on a British merchant ship or aircraft, your position is being looked after, and there is nothing you need do unless you are asked by your employer.

~~If you are abroad only for a few weeks which~~ happen to include 5th July, 1948, you may have registered under the scheme before you left Great Britain. If not, or if you are in any doubt about your position, you should call at any local National Insurance Office for advice as soon as possible after your return.

If you are married woman, not already insured (see para14) and not working for an employer with a place of business in Great Britain, you cannot be insured under the scheme until you return to Great Britain and take up a gainful occupation.

If you have never been resident in Great Britain you cannot be insured while you remain outside Great Britain. If your residence in Great Britain was less than a continuous period of at least three years, and you were not insured under the old National Health or Contributory Pensions scheme, you cannot be insured unless you are working for an employer with a place of business in Great Britain, and you were working for an employer in Great Britain immediately before going abroad.

Some Must and Some May Contribute.

7. If your case is not dealt with in para. 6 perhaps that you are covered by one of the next four paragraphs (8 to 11) and that either you must contribute (though your employer,) or you may contribute (paying yourself).

If your employer is due to contribute on your behalf, you need nothing. para. 18 explains what he must do. If in doubt, get in touch with him. If you find that you are in the class who may contribute, read para. 17 which describes how to pay, and para. 15 which explains how to notify the Ministry of your decision to pay. The address of the branch of the Ministry looking after overseas contributous is Ministry of National Insurance, Contribution, Newcastle-on-Tyne, England, and all enquiries should be sne to that address.

Have you been compulsorily Insured while Abroad,

8. You are insured under the new National Insurance scheme if you were at 4th July, 1948, contributing in Group I war occupationer#, or if you have at any time since 5th July, 1942, paid contributions under the Unemployment Insurance(Employment outside the United Kingdom) Regulations, 1936 , and remain at 5th July 1948, in the same employment.

A group I War occupation means employment abroad (but not in Eire) in a civilian capacity by the Admirality, Army Council or Air Council or other Government Department, or by N.A.A.F.I. or by a Works Contractor to the Admiralty, Army Council or Air Council, or by(if you have been compulsorily contributing under the old Schemes of Health, Pensions or Unemployment Insurance you must have been in one of these classes.).

If you went abroad before 5th July 1947, you may pay Class 3 contributions from 5th July 1948. If you went abroad on or after 5th July 1947, your employer should pay Class 1 contributions in respect of you until you have completed a year abroad, or cease to be in the employment; thereafter you may pay Class 3 contributions. In either case such contributions, if paid regularly, will count for all benefits when you return to Great Britain, just as if they were Class 1 contributions paid in Great Britain. While your employer is paying contributions for you, he can deduct your share (see para. 2) from your pay.

Did you go abroad to a Job?

9. If (a) you went abroad to a job(not covered by para. 8) between 1st January 1946, and 4th July 1948 and

(b) you are working for an employer in the United Kingdom immediately before you went, and

(c) you have been working all the time you have been abroad up to 5th July 1948, for an employer who has a place of business in the United Kingdom (not necessarily the same employer all the time), and

(d) you are at 5th July 1948, working for an employer with a place of business in Great Britain, and

(e) you are ordinarily resident in the United Kingdom-you are insured and your employer must pay Class 1 contributions and can deduct your share from your pay.

From 4th July 1949 or any earlier date when you cease working for an employer with a place of business

IN Great Britain, this arrangement will end, and if you are still abroad (but ordinarily resident in Great Britain) you will have to decide whether to conti contributing by paying Class 3 contributions. Such contributions, if paid regularly, will count for all benefits when you return to Great Britain, just as if they were Class 1 contributions paid in Great Britain.

10. If you wen abroad before 1st January 1946, but other wise fulfil the conditions (a) ~~xxx~~ to (e) in para. 9, your employer will not be paying contributions for you, and you must decide whether to pay Class 3 contributions from 5th July 1948. Such contributions will count for benefits as described in para2.

Were you a Voluntary Contributor?

11. If you were immediately before 5th July 1948, contributing to National Health or Contributory Pension Insurance, but a are not covered by para. 8,9 or 10, you become insured under the new scheme on 5th July 1948, and may pay Class 3 (or , if you wish, and if you are gainfully occupies, Class 2) contributions , provided that either you have lived in the United kingdom continuously for a period of at least three

years at some time or you have paid at least 104 contributions under the old National Health or contributory Pensions Scheme.

Any Class 3 or Class 2 contributions you pay will not be treated as Class 1 for benefit purposes, but will count for benefit as described in para. 2.

Group II War Occupations.

12. If you are in a War occupation (similarly to those described in para. 8) but have not been compulsorily insured)(perhaps becuase

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by a voluntary organisation engaged in hospital, ambulance, relief, rehabilitation or canteen work, or by U.N.R.R.A. provided that the employer resides or has his principal place of business in Great Britain and that the employee was in Great Britain and insured for Unemployment, Health or Pensions benefits immediately before entering the War Occupation, and that the employment is such that the employee would be compulsorily insurable, if he were in Great Britain. The condition that the employer must have a place pf business in Greaat Britain does not apply in the case of U.N.R.R.A.

Your pay was more than 420 a year), you are probably in a Group II War Occupation#.

If, when you left Great Britain, you weretold that your previous insurance could be kept alive subject to payment of back contributioje at the end of your War occupation, you are in a Group II War Occupation. If you are in doubt about your status, write to the Ministry of National Insurance, Contributions, NewCastle-on-Tyne, England, giving details of your present employment, when you went abroad, your employment

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immediately before you went abroad and your insurance record (the name of the Approver Society you belonged to, and the number of your insurance card.)

If you establish that you are in a Group II War Occupation, you will have the option of paying contributions for the period of your employment in a Group II War Occupation up to 4th July , 1948. This payment may be useful so as to link up your old and your new insurances and give you early title to benefit; also, if you are not brought into insurance under para. 8-11, it brings you in with the right to pay contribution s as described ~~e~~ in para. 11. But you must exercise this option by 4th July 1949, or within six months of your War Occupation ending-whichever is earlier.

Returning to Great Britain.

13. If none of the last five paragraphs covers your case,you cannot become insured while you are abroad. But if you return to Great Britain before 5th July,1951, you will have the chance then to pay Class 3 contributions for the period from 5th July, 1948, to the date of your return, so as to start off with a full contribution record. But you must decide whether to pay and record your decision at a local National Insurance Office within six months of your return. You will, in any case, on returning to Great Britain, become insured and liable for contributions six months after your arrival, or earlier if you take up work for an employer.

Married.....

A Group II War Occupation includes employment other than a Group I War Occupation (para. 8) abroad (but not in Eire) in a civilian capacity by the

Admiralty, Army Council, Air Council or other Government Department, or by N.A.A.F.I. or by a Works Contractor to the Admiralty, Army Council or Air Council or by a voluntary organisation engaged in hospital, ambulance, relief, rehabilitation or canteen work, and employment abroad (but not in Eire) as a soldier serving in a overseas contingent or in the naval, military, air or other service of a foreign power allied with the United Kingdom. To qualify for treatment as a in a Group II War occupation, the employed person must have fulfilled certain conditions in respect of his insurance before entering the War Occupation.

$ The yearly average of contributions which you are required to maintain for full Widow's and Retirement Pensions cover is calculated in these cases from a date in 1948.

Married;;;;;;;;;

Married Women & nd Widows Receiving Benefit.

14. As explained in para.4, most married women are sufficiently covered by their husband's insurance. Those who are working solely on their own home duties and not already in insurance, cannot come into insurance even when in Great Britain. Other married women may choose whether to contribute or not. Those abroad who may countribute (para. 8 to 12), will need to consider their personal position before deciding; for instance, if a women will reach 65 and qualify (if retired) for a pension and an increase (or separate pension) in respect of her, she may decide to pay contributions so as to earn a pension on her own insurance, at the page of 60.

Those married women who are in the groups compulserily insured by reason of their employment (ara 8 and 9) may decide not to pay contributions. If you take advantage of this right, your decision cannot come into effect

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until you have notified the Ministry of National Insurance and the Ministry has told your employer that he need no longer pay your share of the Class 1 contribution.

Widows have a similar right to be exempted from contributing, while they are receiving benefit (other than a pension, normally 10, under the old Contributory Pensions scheme).

Details of the position of married women are given in Leaflet N.I&1, and of Widow's Benefit in Leaflet N.I.13 (see Appendix). You may wish to obtain one of these leaflets before coming to a decision.

Recording your Decision.

15. You must notify the Ministry of National Insurance, Contributions, Newcastle-onTyne, England, if-

(a) you wish to pay Class 3 or Class 2 contributions while broad . You must post your notification within six months of the date from which your choice is to operate;

(b) being in a Group II War occupation you want to pay contributions for the period up to 4th July, 1948 (para.12). You must post your notification within 6 months of the end of the War Occupation and in any case before 4th July,1949;

(c) being a married woman or a widow in receipt of widow's Benefit (other than a pension under the old Contributory Pensions Scheme), you do not wish to pay your Class 1 contributions. This choice can only come into effect after you have notified the Ministry and they have told your employer (para. 14);

(d) on reaching pensionable age before completing the 10 (or five) years of insurance necessary to qualify for pension, you want a refund of contributions (para . 4)

In the case of (a) or (b), the easiest way is to fill in the form at the end of this leaflet.

Send your contribution card (if you have one) with the form.

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In the case of (c) or (d) write to the Ministry of National Insurance, Contributions, Newcatle-on-Tyne , England, giving your full name and address, and quoting your National Insurance number, if you know it, or if you do not, the number on your old Health or Pensions card and the name of the Approved Society to whdch you belonged.

Claiming Benefit.

16. If you become entitled to benefit, or increase of benefit, while abroad, write to Ministry of National Insurance, Contributions, Newcastle-on-Tyne, England, asking for the appropriate application form. As there are time limits for the acceptance of claims, you should apply as soon as possible . In the case of maternity benefit, the request for an application form should be sent three months in advance of the conffinement. If that is not possible, you should send a claim accompanied by a certificate of confinement signed by a doctor or midwife, the claim should in this case be posted within three months after the confinement.

Paying Contributions while Abroad.

17. There are two alternative ways of paying Class 3 or Class 2 contributions, while you are abroad.

You can arrange with the Ministry of National Insurance for someone in Great Britain to stamp your card for you. He should exchange it for a new card when it expires. Alternatively, you can pay at half-yearly intervals by British Postal Order, or Money Order (where British Postal Orders are not obtainable,), or by cheque on a bank in Great Britain or by Banker's Draft. Such payments should be made payable to "The National Insurance Fund", and crossed "Bank of England" and sent to Ministry of National Insurance, Newcastle-on-Tyne, England". When making a payment in currency other than

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that of Great Britain, care should be taken to ensure that the amount remitted is sufficient at the current rate of exchange to cover the sum required to be paid, including clearing charges (if any). All remittances should be accompanied by a letter giving your name and address and your insurance number, and stating what period the payment covers.

You may, if you wish, arrange with a banck in Great Britain to make half-yearly payments.

Employers' Contributions.

18. Employers should stamp the cards of those employees abroad (i.e., outside Great Britain, Northern Ireland and the Isle of Man) who are compulsoryly insurable, just as in the case of employees at home, except that, as Industrial Injury contributions are not payable, lower value stamps are required (see para.2.) These stamps are available at Post Offices.

The classes of employees abroad who are insurable as employed persons (Class 1) are:-

(a)	Persons in Group I War Occupations who went abroad after 4th July 1947, and have been contributing.	Till they have been abroad one year, or the employment ceases, whichever is sooner.
(b)	Persons who went abroad after 4th July 1947, and have contributed under the Unemployment Insurance (Employment outside the U.K.) Regulations, 1936, and remained in the same employment.	

These two classes are those whose employers have paid compulsory contributions in the past-see para.8.)

(c)	Persons ordinaryly resident in the United Kingdome who went to a job abroad between 1st January 1946, and 4th July 1948, other than those at (a) and (b) above (see para.9.).	Till 3rd July, 1949, or the employment ceases, whichever is soone
(d)	Persons ordinarily resident in the United Kindom, who went abroad to a job after 4th July, 1948. (This Class is not dealt with elsewhere in this leaflet).	Till they have bee abroad one year, o the employment ceases, whichever is sooner.

Married women abroad have ~~hxx~~ the same choice not to pay as married women at home; but in their case the employer will receive the label to fix to the card direct from the Ministry. Contributions of 3s. 9d. (women under 18) and 1s. 9d. (women over 18) are required in these cases; 3s. stamps are available at Post Offices; there are no 1s. 9d. stamps, but a 3s. 6d. stamps may be affixed every other week.

Cards should be exchanged at the end of their currency in the ordinary way, but the employer should fill in the insured persons address and write "abroad" in the space for signature.

When contributions cease to be payable while the insured persons still abroad, the card should be sent to the Ministry of National Insurance, Contributions, Newcastle-on-Tyne, with a statement of reason for the discontinuation of Class 1 contributions (i.e., becuase the employment has ceased or becuase the period of liability has ended). The Ministry will then advise the insured person of options open to him.

If an employer does not hold a contribution card for an employee in respect of whom cont.....

contributions [illegible] are payable, he should [illegible] obtain in an Emergency Card from a local National Insurance Office for stamping until the ordinary contribution card is obtained. Any empoyer with employees overseas who have not been registered, should apply to the Ministry of National Insurance, Contributions, Newcastle on-Tyne, for a supply of forms C.F. 81.

APPENDIX.

There are a number of other leaflets in this series dealing with particular aspects of the National Insurance and Industrial Injuries Schemes, [illegible] They are, of course, written primarily for people in Great Britain; some of them would be of no interest to people abroad, but those listed below may be useful for some people overseas who are in particular jobs or professions or are interested in particular benefits. You can get any of them from the Ministry of National Insurance, Contributions, Newcatle-on-Tyne, England, or you can ask a friend in Great Britain to get a copy for you from any Local National Insurance Office. But if you do get any of them, remember that they do not deal in any detail with the special case of people abroad, and will be of use mainly to show what your position may be after your return to Great Britain.

Leaflet Number	Subject.
N.I.1.	Married women .
N.I.1A	Married Women not working outside their Home duties.
N.I.12	Unemployment Benefit.
N.I.13	Widow's Benefit.
N.I.14	Guardian's Allowance (for Orphans).
N.I.15	Retirement Pension.
N.I.16	Sickness Benefit.

con .

N.I.17 Maternity Benefit.

N.I.~~23~~ 24 Mariners.

N.I.26 Airmen.

N.I.28. Late Age Entrants to Insurance.
(Men over 55 and Women over 60 when their insurance begins.)

N.I.30 Students.

N.I.31 Apprentices.

N.I.32 Agents Working on Commission.

N.I.35 Company Directors.

N.I.45 Pensions for Widows over 55 on 5th July 1948.

N.I.46 Nurses.

N.I.51 Questions and Answers for Widows.

N.I.52 Sickness Benefit-Increase for Dependants.

FOR OFFICIAL USE.
INDUSTRIAL INSURANCE NO.

MINISTRY OF NATIONAL INSURANCE

NATIONAL INSURANCE ACT, 1946.

Application by a person who went abroad before 5th July, 1948, and who wishes to pay Class II or Class III Contributions.

(Note:- Please do not complete this form until you have read the attached leaflet.).

1. Surname (block letters).....

2. Full Christian Names..... .....

3. Sex (enter "Male" or "Female").....

4. State Mr., Mrs., Miss or Title..... .....

5. Present Address (abroad).....

6. Have you an address in the United Kingdom?.....if so, please give it:-

7. Are you married? (enter "yes" or "No").....
(if widow, widower or divorced, enter "No")

8. Date of Birth

DAY	MONTH	YEAR

9. Date of going abroad..

10. National insurance No. | | | | | | | | | or, if that is not known.

11. Have you been insured for health and/or pensions since 31st December 1945? If so, please state:-

(1) Name of Approved Society.....
(enter "D.C." if Deposit Contributor)

(2) Branch (or Court, Tent or Lodge) if any.....

(3) Membership No.....

(4) Your number as a pensions voluntary contributor.

12. (1) Name and address in the United Kingdom of present or last employer (if any) .....

(2) Date on which your employment with him
Day..... Month.....Year.....

(3) Date on which your employment with him ceased
Day ..... Month ..... Year.

13. (1) Name and address of your last employer before you went abroad.) :::::::::::::::::::: .....

(2) Date of which your employment with him ceased: Day.....Month.....Year.....

14. I have read Leaflet N.I. 38A and have placed a cross against the ground(s) on which I claim to be entitled to pay contributions:-

(1) I went overseas before 1st January, 1946, in continuation of my employment in the United Kingdom; I am still ordinarily resident in the United Kingdom; and since going abroad I have been employed continuously by an employer who has a place of business in the United Kingdom.(Para. 10 of leaflet.) [ ]

(2) I was insured under the Health and/or pensions Insurance Acts at 4th July 1948, and:- [ ]

(a) I was continuously resident in the United Kingdom for at least three years, from.....to..... [ ]

or (b) Paid 104 contributions. (paragraph 11 of leaflet.) [ ]

(3) I was insured in a Group I War Occupation at 4th July 1948.(Paragraph 8 of leaflet.) [ ]

(4) I have been employed in a Group II was Occupation from..... to 4th July 1948, and desire to exercise my option to pay contributions for that period. (Paragraph 12 of leaflet.) [ ]

(5) I have at some time since 5th July 1942 paid contributions under the Unemployment Insurance (Employment outside the United Kingdom) Regulations,1936, and was still in the same employment on 5th July 1948. (Paragraph 8 of leaflet.) [ ]

desire to pay# Class II contributions.
Class III

wish to pay # by sending a remittance half-yearly through the under-mentioned person who will stamp my card.

(Paragraph 17) of leaflet.)

Name and address of person nominated.) ::::::::::::::::::::

17. I declare that the information given above applies to me and is true to the best of my knowledge and belief.

Signature of applicant.....Date.....

* Please delete whichever is inapplicable.

Note:- Pleas send this form, with your insurance card if you have one, to the Ministry of National Insurance, Contributions, Newcastle-on-tyne, England.

Form C.E. 82.

Copy of a letter No. G- 243.5.5./B, dated the 22nd December 1948 from the office of the High Commissioner for India, London, to the Secretary to the Government of India, Ministry of Finance, New Delhi, India.

Subject:- The United Kingdom National Insurance Act,1946.

In continuation of this office letter G.243.5.5 dated the 11th November 1948, on the above named subject, I am directed by the High Commissioner for India to state that certain provisions of Ministry of National Insurance leaflet N.I.38A have been informally discussed with that Ministry. It would appear that by virtue of the provisional Regulations made under the Act Government servants in India whose normal place of residence is considered to be the United Kingdom and who have while in India maintained National Insurance under previous Acts are eligible to be insured under the new Act, and similarly in respect of persons ordinarily resident in the United Kingdom who enter Government service in India in the future. It appears also that persons who are at present Government servants, but who have not maintained insurance while in India, may be eligible to become insured but there being some doubt on this point, the matter is being further investigated and the following observations should therefore be regarded as provisional in such cases.

2. The classes of Government servants described above may be divided into three categories viz. -

(a) Those who left the United Kingdom before the 1st January 1946.

(b) Those who left the United Kingdom between the 1st January 1946 and 4th July 1948.

(c) Those who left the United kingdom after the 4th

July 1948.

Some observations on the position of personnel in each of these categories follow:-

(a)Persons who left the United Kingdom prior to the 1st January, 1946, who satisfy the requirements of paragraph9 of the memorandum may, if they so desire, continue in insurance by payment of Class III contributions (in some cases Class II contributions may be payable) untill they return finally to the United Kingdom. Payment of such contributions will enable the contributor to qualify for those benefits, as set out in paragraph 3 of the leaflet, which derive from payment of Class II or Class III contributions as the case may be. It will be observed that in neither case can unemployment benefit be obtained, either in India or immediately on return to the United Kingdom, and that if a person is eligible and desires to qualify for sickness benefit on return to the United Kingdom he should pay Class II contributions.

(b) Persons who left the United Kingdom between the 1st January 1946 and the 4th July 1948 and who satisfy the requirements of paragraph 9 of the leaflet. Class I contributions are compulsorily payable in respect of such persons for the period 5th July 1948 to 4th July 1949, or until employment in India ceases, whichever is the earlier. Thereafter they may, if they so wish, continue to pay Class III contributions which will qualify for all benefits.

(c) Persons leaving the United Kingdom after the 4th July 1948. Class I contributions are compulsorily payable in respect of such persons if they were insured in the United Kingdom for the first twelve months of absence from the United Kingdom ~~for the first~~ or for the duration of employment in India, whichever is the shorter. Thereafter they

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they may , if they so desire, pay Class III contributions which will qualify for all benefits, vide paragraph 8 of leaflet N.I.38. It is considered unlikely that any person appointed to Government service in India through this office will come within the provision of paragraph 7 of that leaflet.

3- It will be seen from paragraph 4 of the leaflet N.I.38A that benefit is not payable in respect of unemployment, sickness or death occuring in India and that there are certain other restrictions on benefits in respect of persons not resident in the United Kingdom

4- I am to refer to paragraph 9 (c) of the leaflet N.I.38A and e to state that according to a ruling given by the Ministry of National Insurance (vide copy of their letter dated the 4th October 1948, enclosed) the Government of India is regarded, for the purposes of the National Insurance Act, 1946, as "an employer who has a place of business in the United Kingdom" and would therefore be required to pay the Class I contributions payable in respect of persons in categories (b) and (c) above and may recover from the employee his share of the Class I contributions.

5. All personnel in the above categories who may wish to exercise the right to pay contributions at Class II or Class III rates must complete the application form at the end of the leaflet within the time limits prescribed in paragraph 15 of the leaflet i.e. before 5th January 1949, in the case of personnel in category (a) and before 5th January, 1950 in the case of persons in category (b). Persons in category (c) appointed through this office will be given instructions before they embark as to the action that they should take. Personnel who have not hitherto maintained insurance are also advised to submit an application to the Ministry of National insurance if they wish to be considered for admission to insurance

It is suggested that all applications should be submitted through this office in order that a record may be made of those who wish to be insured under the new Act.

6. The Government of India will no doubt have under consideration the question whether, or to what extent, they will contribute to an employee's insurance contributions, other than Class I contributions (vide paragraph 4 of this letter) and the High Commissioner will be glad to learn the decision of the Government of India (and the Provincial Governments) in this matter.

7. The position under the provisions of leaflet N.I.38 of persons in Government service in India who come to the United Kingdom from overseas after the 4th July 1948 is still under investigation. It appears that officers coming here on leave will be required to pay Class III contributions as from a date six months after arrival in the United Kingdom (or earlier if they wish) unless they take up payment when they will be required to pay Class I contributions as from the week in which such employment commenced.

A further communication regarding the position of persons coming to the United Kingdom on study leave or deputation or as trainees or Government scholars will be sent to the Government of India as soon as possible.

8. I am to add that the High Commissioner will be pleased to obtain from the Ministry of National Insurance such further information as to the implications of the Act as the Government of India may desire.

Copy of a letter No.D.I/N.I.1157, dated the 14th October 9, from the Ministry of National Insurance, London office of the High Commissioner for India.

cont....

General Department, India House, Aldwych, W.C.2.

With reference to your recent enquiry by telephone about the position under the National Insurance Act of employed persons who are recruited in this country for service overseas with the Government of India.

I write to confirm the information given by Mr. Godfrey that(regulation) 3 of the National Insurance(Residences and Persons abroad) Regulations, 1948, requires that weekly National Insurance Class I contributions (less the contribution under the National Insurance (Industrial Injuries) Act, 1946), shall be paid by the employer and employee for a period of twelve months in ~~the~~ respect of a person, ordinarily resident in Great Britain who goes abroad to work in continuation of employed contributor's employment in this country for an employer with a place of business here.

For the purpose of satisfying the requirements as to "place of business" the Department is advised that the Government of India is to be regarded as having a place of business in Great Britain.

L.M.A. 20/6/56.

The United Kingdome National Insurance Act, 1946.

GOVERNMENT OF BOMBAY

Political and Services Department,

Resolution No. 1645/34.

Bombay, Castle, 1st February 1949.

Letter from the Government of India, Ministry of Finance No.F.6(62)-Est.V/48, dated the 3rd/7th December 1948.

"In continuation of the late Finance Department letter No.F.6(11)-Est.V/47, dated the 12th July, 1947, I am directed to forward for information a *copy of the undermentioned letters (together with their enclosures) from the High Commissioner for India in United Kingdom.

Typed as an accompaniment to the Government Resolution No. 1645/34, dated the 1st February 1949.

(1) No.G. 243.5.5, dated the 14th June 1948.

(2) No.G. 243.5.5, dated the 11th November 1948 and a copy of the leaflet No.N.I.38A issued under the United Kingdom National Insurance Act, 1946.

2. Particular attention is invited in this connection to para. 2 of the letter from the High Commissioner, dated the 11th November 1948.

Letter from the Government of India, Ministry of Finance No.F.6(62)-Est.V/48, dated the 23rd December 1948.

"In continuation of this Ministry's letter of the even No. dated the 3rd/7th December 1948, I am direct to forward a *Copy of letter No.G.243.5.5/B, dated the 2nd December 1948 (with enclosure) from the High Commissioner for India in the United Kingdom.

Typed as accompaniment to this Government Resolution No. 1645/34, dated the 1st February 1949.

RESOLUTION:- Copies of the letters from the Government of India and their accompaniments should be

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forwarded to the Officers concerned for information and guidance in continuation Government Resolution, Political and Services Department, No.1645/34, dated the 15th March 1948.

By order of the Governor of Bombay,

J.Chaves,

For Chief Secretary to the Government of B'bay,

Political and Service Department.

To

The Accountant General, Bombay,

The Private Secretary to the Governor,

All Departments of the Secretariat,(except the Separate Department.)

L.M.A. 20-6-56

The United Kingdom National Insurance Act, 1946.

GOVERNMENT OF BOMBAY,
Political and Services Department,
Resolution No. 1645/34,
Bombay Castle, 21st August 1950-

Letter from the Government of India in the Ministry of Finance No.F.6(62).EV/48, dated the 16th June 1950:-

"In continuation of this Ministry's letter of even number dated the 25th December 1948, on the subject noted above, I am directed to forward for information a *copy of the correspondence cited in the margin."

Typed as an accompaniment.

1. Letter from the High Commissioner for India in the United Kingdom No.G.243.5.5/B,dated the 26th July 1949.
2. Letter from the High Commissioner for India in the United Kingdom No.G.243.5.5/B, dated the 24th March 1950.
3. Letter to the High Commissioner for India in the United Kingdom, No.F.6(62)-EV/48, dated the 15th June, 1950.

Resolution:- Copies of the letter from the Government of India and its accompaniments should be forwarded to the officers concerned for information and guidance in continuation of Government Resolution, Political and Services Department No.1645/34 dated the 1st February 1949.

By order of the Governor of Bombay,

J.Chaves.
For Chief Secretary to the Government of B'bay,
Political and Services Department.

To

The Accountant General,Bombay,
The Secretary to the Governor,
The Secretary to the Honourable the Chief Minister,
All Departments ofthe Secretariat (except the separate Department.).

*Accompaniment to the Government Resolution, Political and Service Department No. 1645/34 dated the 21st August 1950.

L.M.A.2046/56.

Copy of the letter No.G.243.5.5/B, dated the 26th July 1949 from the office of the High Commissioner for India, London, to the Secretary to the Government of India Ministry of Finance, New Delhi, regarding the United Kingdom National Insurance Act, 1946.

*I am directed by the High Commissioner for India to refer to your telegram No. 1304 dated the 29th June, 1949 on the above-named subject, and to say that it is noted therefrom that the Government of India have provisionally agreed to bear the employer's share of the cot as any class I contributions which may be payable under the National Insurance Act 1946 by personnel in their service. In this connection, I am to state that it has recently been learned from the Ministry of National Insurance that certain changes are contemplated in the application of the Act to personnel in their service of overseas employers and that the Ministry willprobably not now seek to enforce, in such cases, the payment of class I contributions, but will accept class II contributions in lieu. Full details of these proposed changes have however not yet been received in this office but will be communicated to you as soon as possible. In the meantime, Class I contributions will be paid by this office and the employers' share debited to Government only in those cases in which such action is confirmed as essential.

2. I am to add for information that pending the receipt of the final decision of the Government of India as to whether they propose to bear any portion of the cost of insurance contribution (apart from the employer's share of Class I contributions) payable by personnel in their service, this office will continue to undertake the stamping of contributions cards (unless the officers concerned wish to make private

cont.....

arrangements in this connection) and debits will be raised from time to time in the appropriate manner in order that the necessary recovery may be made from the pay of the personnel concerned in India. In instance in which Class II or Class III-Contributions are payable, such debits will, for the time being, be in respect of the full amounts of the contributions (i.e. Class II-6s 2d. per week and Class III-4s. 8d. per week) should the Government of India decide not to bear any portion of the cost of contributions other than the employer's share of Class I, it is presumed that the High Commissioner should continue to be responsible for the stamping of contribution cards only in cases in which Class I contributions are ayable, and that contributors paying at the Class II or Class III rate would be required to make their own arrangements for the payment of contributions to the Ministry of National Insurance (e.g. through relatives in the United Kingdom or through their bankers).

Copy of the letter No.G.243.5.5/B dated the 24th March, 1950 from the office of the High Commissioner for India, London to the Secretary to the Government of India, Ministry of Finance, New Delhi regarding United Kingdom National Insurance Act, 1946.

"I am directed by the High Commissioner to refer to your letter No.F.6(62)-EV/49 dated the 11th February, 1950, on the above named subject, and to state that the Ministry of National Insurance have now informed this office through the Commonwealth Relations Office, that they will not insist on the payment of Class I contributions for the initial period of twelve months in the case of persons going abroad for service with the Commonwealth countries or colonies (or for less than twelv months where the period of service abroad is comparatively short) who fall within the categories (b) and (c) in

cont..

paragraph 2 of this office letter G.243.5.5/B dated the 2nd December 1948. No legal obligation therefore rests with the Government of India to pay Class I contributions in respect of such persons recruited from the United kingdom for service in India.

2. The payment of Class I contributions for the first twelve months (and Class III contributions thereafter) is however the only means by which title to all benefits under the Act can be retained. Class II contributions do not qualify a contributor for ~~un-~~ unemployment or sickness benefit. (qualify for unemployment benefit while Class II contributions alone contributes for

3. Persons appointed on contract from the United Kingdom (who are normally resident in the United Kingdom) can be divided into two main categories when considering the rates of contributions paid viz. (i) those who left (or leave) the United Kingdom on or after the 1st January, 1946, (ii) those who left the United Kingdom before the 1st January 1946.

4. Regarding the first category, no legal obligation rates with the Government of India, as explained in paragraph 1 above for payment of the employers share of Class I contributions which are normally required to be paid for a period of 12 months in such cases. As in absence of contributions from the Government of India an appointee would be allowed by the Ministry of National Insurance in the United Kingdom only to pay contributions at the Class II rate, he would not be eligible for unemployment benefit on his return to the United Kingdom. It is therefore considered desirable that United Kingdom personnel appointed on contract should be placed in a position to be able to claim on their return to the United Kingdom unemployment and sickness benefit, if necessary, forthwith. In view of this the Government of India and the State Government may consider accepting liability for the payment of employer's share of contributions (viz.5/10 d. per week) in such cases.

cont.....

As regards the second category, appointees in this class, who were insured under the previous Insurance Acts are not required to pay Class I contributions but may continue in insurance only by the payment of Class II or Class III contributions, i.e. at the rate of 6/2d. or 4/8 d. per week respectively, with effect from the 5th July, 1948, and no portion of such contributions would normally be borne by the employer.

4. A number of persons appointed in the United Kingdom to Government service in India prior to the 1st January, 1946 were voluntarily contributors under previous Insurance Acts and provision was made in their service contracts for the payment by the Government of half the cost of the Contributions payable by them, and it seems desirable that this concession should continue. It is therefore for the Government of India and the State Governments to decide whether, in order to encourage such appointees to maintain their title to immediate benefit on return to the United Kingdom, any portion of the Class II or Class III contributions payable by personnel in this category, and also by those in c tegory (i) above after payment of Class I contribution for 12 months should be borne by Government. It is suggested for consideration that the Government may continue to bear half the cost of contributions in such instances.

5. The rate ofvoluntary contribution payable under the previous Acts varied from 3/1d per week upto 4/4d per week, i.e. the Government paid between 1/6½ d per week and 2/d per week for each contributor whereas, if the above proposals are accepted, Government share of the contributions would be 3/10 d per week in the case of Class I contributions3/1d per week for Class II and 2/4 d for Class III contributors.

cont...

Thus the weekly rates payable by Government would be increased by 9½ d to 1/10 d per contributor, but in view of the limited number of applications from personnel already in Government service in India, which have so far been received in this ~~fe~~ office, to be insured under the new Act, it would appear that the additional cost to Government would be comparatively small.

I am accordingly to ask that this office may kindly be advised as soon as possible whether the Government of India and the State Governments agree to bear: (i) the employer's share of any Class I contributions payable by United Kingdom appointees, and (ii) any portion of Class II or Class III contributions.

6 A copy of the National Insurance Act of 1946 is enclosed."

Copy of a letter from the Government of India, Ministry of Finance No.F.6 (62)-EV/48 dated the 15th June 1950 to the High Commissioner for India , General Department, India House, Aldwyck, London, W.C.2.

"With reference to the corr espondence resting with your letter No. G. 2435.5/B, dated the 24th March 1950, on the subject noted above, I am directed to say that it is observed that your recommendations in regard to the payment of contributions by the Government in India to the National Insurance Scheme in respect of personnel recruited in the United Kingdom go far beyond what are payable by employers in the United Kingdom, although no legal obligation rests with the Governments in India even for payment of the employer's share of Class I contributions

cont.

for the first twelvemonths. The Government of India have examined the whole question afresh, and have, after very careful consideration, decided that no portion of Class I, Class II or Class III contribution should be paid by the employing Government in India in regard to any category of officers. The Government of India feel that the type of officers engaged on contract from the United Kingdom are on sufficientl high rates of pay to be in a position to make the necessary contributions themselves.

2. I am to add that past cases, where payment of employer's share of Class I contribution has already been made with reference to this Ministry' telegram No. 1304, dated the 29th June 1949, need not be re-opened."

L.M.A. 20/6/56.

The United Kingdom National Insurance Act, 1946.

GOVERNMENT OF BOMBAY,
Political and Services Department,
Resolution No. 1645/34.
Bombay Castle, 9th August 1951.

Letters from the Governmnet of India, Ministry of Finance No. F.6(62)-E/48, dated the 16th March 1949, 10th May 1950 and 28th May 1951 and their accompaniments.

"In continuation of this Ministry's letter No.F.6(62)-Est.V/48, dated 7th December 1948, on the subject indicated above, I am directed to forward for information and necessary action a copy of the correspondence cited in the margin regarding acceptance of belated applications from ppersons overseas for admission to the New Insurance Scheme.

1) Letter to the High Commissioner for India in United Kingdom No.D.310-E.V/49, dated 16th February 1949.	Copy of letter No.D.310-EV/49,dated the 16th February 1949.
2) Letter from the High Commissioner for India in United Kingdom No.F.243.5.5/B, dated 25th February 1949.	

from the Ministry of Finance to the High Commissioner for India in the United Kingdom, General Department, India House, Aldwych, London.

Subject:- The United Kingdom National Insurance Act 1946.

I am directed to refer to your letter No. G.243.5, dated the 11th November, 1948, on the subject indicated above where in it has been stated that persons within the categories defined in paragraphs 10 and 11 of the leaflet NI 38-A, who wish to contributue for insurance under the provisions of the regulations should notify the Ministry of

National Insurance, not later than the 4th January, 1949. (vide paragraph 15 of the leaflet). It has since been represented to the Government of India that some British Officers employed in India, could not intimate their intention to join the scheme on the due date, owing to the late receipt of information about the scheme. The Government of India would be glad to know whether in the circumstances specified any extention of this date is possible.

Copy of Air Letter No.G. 243.5.6/B, dated the 25th February 1949 from the Office of the High Commissioner for India, General Department, India House, Aldwych, London W.C.2 to the Secretary to the Government of India, Ministry of Finance, New Delhi.

Subject:- The United Kingdom National Insurance Act, 1946.

I am directed by the High Commissioner for India to refer to your letter No.D.310-EV/49, dated the 16th February 1949, on the above named subject, and to say that the Ministry of National Insurance, who have been consulted in the matter, have stated that late applications for admission to the New Insurance Scheme are still being accepted from persons overseas. They suggest therefore that personnel wishing to contribute under the National Insurance Act 1946 who have not yet submitted completed for of application should do so through the appropriate channel at the earliest possible date.

Copy of a letter from the Government of India, Ministry of Finance, No.6(62)-EV/48, dated the 10th May 1950 and its accompaniments.

Subject:- The United Kingdom National Insurance Act, 1946.

In continuation of this Ministry's letter No. F.6(62)-EV/48, date the 16th March 1949, on the subject noted above, I am directed to forward herewith a copy of a letter No.G.243.5.5/B/50, dated the 28th March 1950 (with enclosures) from the High Commissioner for India in the United Kingdom, regarding acceptance of belated applications for admission to the National Insurance Scheme, and to request that the views of the Ministry of National Insurance may kindly be brought to the notice of the personnel concerned.

Copy of letter No.G.243.5.5/B/50, dated the 28th March, 1950 from the High Commission for India, General Department, India House, Aldwych, London, W.C.2 to the Secretary to the Government of India, Ministry of Finance, New Delhi, India.

Subject:- United Kingdom National Insurance Act, 1946.

I am directed by the High Commissioner for for India to refer correspondence resting with this office letter No. G.243.5.5/B, dated the 24th March 1950, on the above named subject and

1. Letter No. 7003/315 dated the 26th January, 1950 from Ministry of National Insurance.
2. Letter No. G. 243.5.8/53 dated the 29th March 1950 to Ministry of National Insurance.
3. Letter No. 7003/315 dated the 24th March 1950 from the Ministry of National Insurance.

to forward herewith, for information, extracts from

the marginally noted correspondence

Sd/- L.J.Druett
for Secretary, General Department.

Enclosure:- G. 319173.
243.5.8/43.

Extract from letter No. 7003/315 dated the 26th January 1950 from the Ministry of National Insurance, Contributions, Newcastle on tyne, to the High Commissioner for India, General Department India House, Aldwych, London, W.C.2.

x------x---------x-----x-----

Although I have accepted Mr..... 's application without question and have given him the opportunity to pay contributions from the 5th July 1948, I must point out that the Regulations impose a time of 26 weeks reckoned back from the date of application for the purpose of allowing the retrospective payment of voluntary contributions.

In similar cases in the future I shall be pleased if you will arrange for the employee to send with his application a written explanation why the application was not made within the 26 weeks Allowed by the Act. Every reasonable consideration will be given to a plea of extenuating circumstances but it may be that he will be allowed to pay retrospectively for a period not greater than 26 weeks.

Your remarks regarding the late submission of applications to become insured under the new Act will be communicated to the Govt. of India in order that they may be brought to the notice of personnel concerned in India. I am, however, to stress in this connection the difficulty of communicating adequate details of the National Insurance Scheme to all persons who might be interested in such a vast country as India, particularly those in the more remote parts, and to say that the High Commissioner would be greatly obliged if due consideration could be given by the Ministry to this aspect when late applications are received from personnel in India.

G. 321530.
243.5.8./43.

Extract from letter No. 7003/315 dated 24.3.50 from the Ministry of National Insurance, contributions, Newcastle-on-Tyne, to the High Commissioner for India. General Department, India House , W.C.2.

BRITISH NATIONAL INSURANCE.

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With regard to the second paragraph of your letter, I fully appreciate that difficulty may be experienced in communicating the requirements of the National Insurance scheme to personnel in India. The High Commissioner can be assured that, until such time as we receive instructions to apply strictly the Regulation time limit of 26 weeks, every case of late application will receive due consideration.

Copy of a letter from the Govt. of India, Ministry of Finance, No.F.6(62)-EV/48, dated the 28th may 1951 and its accompaniment.....

Subject:- The United Kingdom
National Insurance
Act, 1946.

In continuation of this Ministry's letter No. F. 6(62)-EV/48, dated the 10th May, 1950, on the subject noted above, I am directed to forward herewith a copy of a letter No.G.243 .5.5/B/50, dated the 5th May, 1951 (with enclosures), from the High Commissioner for India in the United Kingdom, regarding the insurance position of personnel going to England within a period of three years of the 5th July, 1948 , and to request that this may be brought to the notice of the personnel concerned.

Copy of letter No. G. 243.5.5/B50, dated the 5th May, 1951, from the High Commissioner for India, General Department, London W.C.2, to the Secretary to the Government of India, Ministry of Finance, New Delhi.

Subject:- British National Insurance Act, 1946.

I am directed to enclose for the information of the Government of India, and of any personnel in Government service in India concerned, a copy of a letter dated the 11th April , 1951 received from the British Ministry of National Insurance regarding the insurance position of personnel coming to England within a period of 3 years of the 5th July 1948.

Copy of letter No.G.336154/243.5.5/B, dated the 11th April 1951, from the Ministry of National Insurance, Overseas Group, Newcastle-upon-Tyne to the office of the High Commissioner for India.

NATIONAL INSURANCE (PERSONS ABROAD).

Certain changes have been introduced recently concerning the payment of contributions under the National Insurance Scheme by persons who are or have been abroad, and the present position is explained in the following paragraphs. It may be that some of your employees, about whom there has been correspondence in the past, may be affected.

As you will be aware the right of a person abroad or coming from abroad to pay Class 3 (or in some cases Class 2) contributions voluntarily in respect of a period spent abroad has higher to been dependent upon his making written application withing 26 weeks of the beginning of the period concerned or the date of his return to Great Britain as the case may be. These time limits are referred to in paragraph 10 of Leaflet N.I.38 and paragraphs 13 and 15 of Leaflet N.I.38A. New Regulations which came into effect on 11th December, 1950, have abolished the 26th weeks time limit and substituted other provisions as explained below.

Persons coming from abroad within three years of 5th July, 1948, and not previously insured (para. 13 of Leaflet N.I.38A) now have varying periods after their return to Great Britain in which to pay contributions for the period they were abroad depending on the length of time they have been abroad since 5th July 1648. The period varies from 17 months to about 5 years according to individual circumstances.

Persons eligible to pay contributions which abroad (para. 15 of Leaflet N.I.38A and para 10 of Leaflet N.I.38) may now notify the Ministry at any time of their desire to pay

contributions. If contributions are not paid or are paid late, however, serious loss of benefits may result. It is still important, therefore, for persons who wish to pay Class 3 or Class 2 contributions while they are abroad to notify the Ministry as soon as possible and they should pay their contributions regularly and promptly. The effect on benefits of late or unpaid contributions is explained in Leaflet N.I. 48.

In view of the new Regulations the Department is prepared to reconsider any case in which a late application to pay contributions voluntarily for a period abroad has previously been rejected, or allowed only in respect of part of the period concerned, and you may wish to bring this fact to the notice of any members of your staff who may be affected. Any person who wishes to put his insurance in order should make a further application as soon as possible either on form C.F. 82 or C.F. 83 (at the back of the Leaflets N.I.38A and 38) or by letter to this office, quoting his National Insurance number and the reference number of any previsous correspondence with the Department. Alternatively, if you will let us have the names and addresses and National Insurance numbers of any persons who you know are affected we will communicate with them. It is, of course, impossible to give an assurance that every fresh application will be successful, since the decision in each case will depend on the indivfd circumstances.

I should add that the the new Regulations do not in any way affect an employer's liability to pay Class I contributions in certain circumstances for the first 12 months of an employees' period of service abroad.

continued.....

If you require copies of the leaflets mentioned above they can be obtained from any National Insurance Legal office . N.I.33 and N.I.33A should be construed as though they were amended to show the new arrangements.

RESOLUTION: Copies of the Letters from the Govt. of India and their accompaniments should be forwarded to the officers concerned for information and guidance.

2. This has a reference to Government Resolution, Political and Services Department, No. 1645/34, dated the 1st February 1949.

By order of the Governor of Bombay,

S.G.DESAI,
For Chief Secretary to the Government of B'bay,
POLITICAL AND SERVICES DEPARTMENT.

To

The Accountant General, Bombay,
The Secretary to the Governor,
All Departments of the Secretariat (except the Separate Department.).

L.M.A. 21st June 1956.